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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,093	02/12/2001	Monica B. Vizcara	TI-30716	9729

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EXAMINER

NGUYEN, VINH P

ART UNIT	PAPER NUMBER
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2829

DATE MAILED: 06/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/782,093

Applicant(s)

VIZCARA ET AL.

Examiner

VINH P NGUYEN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-116 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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1. Claims 2,13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, it is unclear which part of the nest comprises a material selected from the group consisting of aluminum, steel or Torlon. In claim 12, it is unclear what "an arbor" represents. Is it shown in any of drawings? In claim 13, it is unclear what "a vacuum cap" represents. Is it shown in any of drawings? In claim 14, it is unclear what "means for connecting the nest to the handler" represents. Is it shown in any of drawings?

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bumb, Jr. et al (Pat # 5,926,027).

As to claims 1, 6-7, Bumb, Jr. et al disclose an apparatus for testing a device having a plate (21A) with a front side and a back side, a cavity (central opening) and anvils (28) for engaging with the pins (27) of an integrated circuit (26). It would have been obvious for one of ordinary skill in the art to recognize that the plate (21A) has inside walls (23) for receiving the anvils (28), therefore these inside walls would be qualified as "channels". As to claims 4 and 8, it

appears that the anvil is made of compliant material which is frictionless and non corrosive material. It appears that the device of Bumb, Jr. et al has a test head. As to claims 3 and 16, the type of the device under test would have been an obvious design choice since the device under test is not given any patentable weight. As to claims 2,5,9-11, the material for the anvil and the nest would have been an obvious design choice since the criticality of this material has not been established by Applicant. Furthermore, the selections of these materials would depend on their availability.

4. Claims 1-11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eberlein et al (Pat # 4,962,356).

As to claims 1,6-7, Eberlein et al disclose an integrated circuit socket having a plate (2) with a front side and a back side, a cavity (central opening) and anvil (15) for engaging with the pins (17) of an integrated circuit (16). It would have been obvious for one of ordinary skill in the art to recognize that the plate (2) has holes (10) for receiving the anvil (15), therefore these holes would be as "channels". As to claims 4 and 8, it appears that the anvil is made of compliant material which is frictionless and non corrosive material. It appears that the device of Bumb, Jr. et al has a test head. As to claims 3 and 16, the type of the device under test would have been an obvious design choice since the device under test is not given any patentable weight. As to claims 2,5,9-11, the material for the anvil and the nest would have been an obvious design choice since the criticality of this material has not been established by Applicant.

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Furthermore, the selections of these materials would depend on their availability.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nguyen (Pat # 5,245,277) discloses clamp for testing used integrated circuit devices.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.


VINH P. NGUYEN
PRIMARY EXAMINER
ART UNIT 2829
06/11/2002